



Winston H. Hickox
Secretary for
Environmental
Protection

State Water Resources Control Board

Division of Water Rights

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NOTICE OF POSTPONEMENT AND RESCHEDULING OF PUBLIC HEARING

on a petition for long-term transfer involving a change in the place and purpose of use of Licenses 2685, 6047 and 11395 (Application 1224, 10572 and 16186) of Merced Irrigation District and Licenses 5417 and 11058 (Applications 1233 and 14127) of Modesto and Turlock Irrigation Districts

Originally commencing on January 28, 2003, at 10:00 a.m.

**Joe Serna Jr./Cal EPA Building
Sierra Room – Second Floor
1001 I Street, Sacramento**

SUBJECT OF THE HEARING

The purpose of this hearing is to receive evidence that will assist the State Water Resources Control Board (SWRCB) in determining whether and under what conditions to approve a Petition for Long-Term Transfer filed on March 19, 2001 by the Merced Irrigation District (Merced) and Modesto and Turlock Irrigation Districts (MID/TID) (collectively referred to herein as “petitioners”) pursuant to Water Code sections 1707 and 1735 et seq. The petitioners seek approval of a long-term transfer of water and change in place of use and purpose of use of water under Merced’s Licenses 2685, 6047, and 11395 (Applications 1224, 10572, and 16186) and MID/TID’s Licenses 5417 and 11058 (Applications 1233 and 14127). The petitioners propose to transfer up to 47,000 acre-feet of water. The purpose of the proposed transfer is to conduct the Vernalis Adaptive Management Plan (VAMP) experiments. In Decision 1641 as revised by Order WR 2000-02¹ (D-1641), the SWRCB approved a similar petition; the water under this petition is in addition to the water transferred under D-1641.

PLEASE TAKE NOTICE

that, as indicated during the pre-hearing conference held on December 4, 2002, the public hearing originally scheduled to commence on January 28, 2003, has been

POSTPONED

¹ Revised D-1641 is available on the internet at <http://www.waterrights.ca.gov/BayDelta/d1641.htm> or upon request from the Division of Water Rights by telephone at (916) 341-5300.

at the request of protestants to the petition, South Delta Water Agency, Alexander Hildebrand, and Lafayette Ranch and with the concurrence of the petitioners and the other parties. The deadline for submitting exhibits, which was originally December 18, 2002, has also been postponed.

The hearing has been rescheduled to commence on:

**Wednesday, April 23, 2003 at 9:00 a.m.
and continue, if necessary, on April 24, 2003 at 9:00 a.m.
at The Joe Serna, Jr. Cal/EPA Building
Coastal Hearing Room-Second Floor, 1001 I Street, Sacramento**

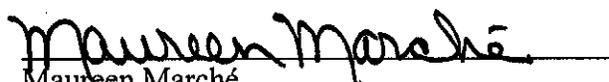
Copies of witnesses' proposed testimony, exhibits, list of exhibits, and qualifications must be served upon and received by the SWRCB and each of the parties who have indicated their intent to appear no later than **4:00 p.m. on Monday, March 3, 2003.**

On November 21, 2002, a service list of participants was mailed to those parties who submitted a Notice of Intent to Appear at the hearing. By **December 9, 2002**, hearing participants were required to serve a copy of their Notice of Intent to Appear on each of the parties identified on the list of parties to exchange information and on the SWRCB, along with a statement of service that indicates the manner of service. Please be aware that corrections have been made to the service list. The mailing address for John Herrick has been corrected and Tim O'Laughlin has indicated that he does agree to accept electronic service. An updated version of the service list is enclosed. If you submitted a Notice of Intent to Appear and have not yet served a copy of your notice indicating the manner of service on the SWRCB and the parties to exchange information (or if you sent your Notice of Intent to Appear to the previously listed address for Mr. Herrick), please do so no later than **4:00 p.m. on Friday, January 10, 2003.**

Except as modified by this notice, the Notice of Public Hearing issued on November 7, 2002, including all enclosures, remains in full force and effect.

IF YOU HAVE ANY QUESTIONS

SWRCB Chairman Arthur G. Baggett, Jr. will be the hearing officer presiding over this proceeding. SWRCB hearing team members will be Barbara Leidigh, Staff Counsel IV, Ernie Mona, Water Resources Engineer, and Diane Lawson, Environmental Scientist. *Ex parte* communications with members of the Board or SWRCB staff on the hearing team regarding substantive or controversial procedural matters involved in the hearing are prohibited during the pendency of this proceeding. (Gov. Code, §§ 11430.10-11430.80.) Communications regarding routine non-controversial procedural matters (See Gov. Code, § 11430.20, subd. (b).) should be directed to Barbara Leidigh, Staff Counsel IV, at (916) 341-5190.


Maureen Marché
Clerk to the Board

Date: December 24, 2002

Enclosure: Mailing List

**PARTIES WHO HAVE INDICATED AN INTENT TO APPEAR AT THE
HEARING ON THE SAN JOAQUIN RIVER GROUP AUTHORITY PETITIONS**

**Petitioners: San Joaquin River Group Authority
(Merced, Modesto and Turlock Irrigation Districts)**

Representative: Tim O'Laughlin

2571 California Park Dr. #210

Chico, CA 95928

Phone: (530) 899-9755

Fax: (530) 899-1367

E-mail: towater@sunset.net

*Agrees to accept electronic service

*Plans to call witnesses to testify at the hearing

Protestants: South Delta Water Agency, Alexander Hildebrand, and Lafayette Ranch

Representative: John Herrick

4255 Pacific Ave., Suite 2

Stockton, CA 95207

Phone: (209) 956-0150

Fax: (209) 956-0154

E-mail: Jherlaw@aol.com

*Agrees to accept electronic service

*Plans to call witnesses to testify at the hearing

Protestants: Central Delta Water Agency and R.C. Farms, Inc.

Representative: Dante John Nomellini, Esq.

Mailing: P.O. Box 1461

Street: 235 East Weber Ave.

Stockton, CA 95201

Phone: (209) 465-5883

Fax: (209) 465-3956

E-mail: ngmplcs@pacbell.net

*Agrees to accept electronic service

*Plans to call witnesses to testify at the hearing

Stockton East Water District

Representative: Karna E. Harriggfeld

2291 W. March Lane, Suite B100

Stockton, CA 95207

Phone: (209) 472-7700

Fax: (209) 472-7986

E-mail: Kharriggfeld@herumcrabtree.com

*Agrees to accept electronic service

*Plans to call witnesses to testify at the hearing

City of Stockton

Representative: Arthur F. Godwin

555 Capitol Mall, 9th Floor

Sacramento, CA 95814

Phone: (916) 444-3900

Fax: (916) 444-8334

E-mail: agodwin@mhlaw.com

***Agrees** to accept electronic service

*Intends to present a policy statement

*Intends to participate by cross-examination or rebuttal